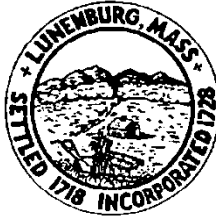


Town of Lunenburg Conservation Commission

Richard Bursch, Chair
Todd Dwyer, Vice-Chair
Bob Pease
Tom Bertram
Carl Luck
Jack Rabbitt
Kenneth Jones



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Lunenburg, MA 01462

Matthew S. Marro,
Conservation Administrator

MINUTES

Wednesday, September 21, 2016 7:00 PM regular meeting
Billotta Meeting Room, Second Floor Town Hall
17 Main Street
Lunenburg, MA 01462

In accordance with the requirements of the Open Meetings Law, please be advised that this meeting is being recorded and broadcast over the Lunenburg Public Access channel.

Call to Order at 7PM Chairman Bursch Presiding, Attending were Vice Chair Todd Dwyer, Bob Pease, Ken Jones, Thomas Bertram, Ken Jones, Carl Luck

Announcements

Public Comment

TB- Walks in the woods this coming Sunday at 9 am meeting at the Ritter Building.

Appointments/Hearings –commences at 7 PM

A notice of intent by Matthew Fournier for work at 70 Oak Ridge Road will be held. Work entails disturbance of 11,500 square feet within the 100 foot buffer zone of a wetland resource area for the construction of a single family home, attached garage, septic and well with related site grading.

Documents presented for commission consideration: A notice of intent for 70 Oak Ridge Road and plan entitled "Proposed Soil Absorption System Upgrade" Dated 8/22/16 plan number 16-24 with a scale of 1 inch = 20 feet Stamped by Brian Milisci.

James Rheault from Whitman and Bingham representing the applicant. This is for the demolition of an old house and rebuilding of a new home. This includes driveway at 12.5% slope and new septic and well. The site is being lowered to accommodate the slope of driveway. Four-foot frost wall to minimize the fill to the rear of the house. No work proposed behind the house with this file. Retaining wall is to prevent work on abutting property. The Commission examined the pitch and grades of the driveway and a catch basin to mitigate water. RB requested the mitigation for water flow be added to the plan. RB requested that silt fence on the lake side be placed at the limit of work (50 foot buffer zone). Deck dimensions will be added to the plans (first floor Deck at elevation 111). Timeline for construction and stabilization will be submitted prior to commencement of work, the dimensions of the deck added with support by piers, the driveway drainage and updating the silt fence to show double silt fence and a driveway crown and there will be a note that no work has been proposed within 50 feet of the lake and a double silt fence at the lake side, by motion of TB and a second by CL with a unanimous vote.

A public meeting on a request for a determination of applicability by Dennis LeBlanc for work at 4 Sequoia Drive will be held. Work entails installation of an in-ground swimming pool chamber within the 100 foot buffer zone of a wetland resource area.

Documents presented for consideration were: A Request for a Determination form WPA1 and a plan entitled "Proposed Soil Absorption System" Plan number 04-54 with a scale of 1 inch = 20 feet Dated 8/22/12, stamped by Brian Milisci.

Mr. Leblanc was present representing himself. Noted by Chair that the work under an old Order of Conditions is 99% complete. Only the pool remains to be completed, the reason for the RDA. The work is within the existing completed retaining wall requiring no new excavation. TB- moved to give a negative determination with the condition he continues to follow the conditions from the expired Order of conditions. KJ seconded and the commission voted unanimously.

Public hearing on a notice of intent by William Mosso for work at 460 Lancaster Avenue will be held. Work entails construction of a landscaped retaining wall with related site grading and plantings.

Documents presented for consideration was a modified Plan with a scale of 1 inch =20 feet, modified by applicant September 2016 and a Notice of Intent for 460 Lancaster Ave.

Bill Mosso represented himself and explained the Notice of Intent. RB inquired why did he file after the fact? Mr. Mosso noted lack of knowledge of the process and regulation. RB noted on the plans that the file is retroactive for a 2 stage stone wall. TB asked for MM's opinion. MM noted the current condition is causing erosion. MM recommended that planting needs to be done and only bark mulch is not acceptable. He noted it needs to be a thick growth and what's there now is inadequate. The commission considered removing the wall versus leaving it in place. There was a strong consensus that the wall needed to be outside of the 50 ft no structure zone and that if the request as presented was voted on it would probably be denied, a positive finding. As such, the applicant was encouraged to revisit the request and present a revised plan at a future meeting. Motion to continue until Oct 19 2016 by TD and a second by KJ with a unanimous vote. This is to allow the applicant time to submit a planting plan with narrative and drawing.

A determination of applicability by Dan Proctor for work at lot #11 White Tail Crossing will be held. Work entails disturbance within the outer portion of the 100 foot buffer zone of a wetland resource area for the construction of a single family home.

Documents presented for consideration were: A Request for a Determination form WPA1 and a plan entitled "Sewage Disposal Design System" dated June 2, 2016 plan number 1051P-11-SDS with a scale of 1 inch = 20 feet signed by Gregory Roy.

Dan Proctor representing himself. He noted the details of the project to the commission. RB requested that Mr. Proctor move the limit of work to the 136 contour to help save the Oak Over story and place erosion control at that line. Timeline is to complete this fall. Negative determination motion with the added condition of the 136 contour adjustment by CL with a second by KJ and a unanimous vote to approve.

Continued Public Hearing : Daniel Gardner 101 Pleasant Street, Notice of Intent

Documents presented were the Notice of Intent and plan entitled "forest cutting access improvement sketch" Plan 9865 as a 50 scale, by Whitman and Bingham Associates dated July 26, 2016. A Phased Timeline Narrative and a Signed Bond Estimate.

Jamie Rheault representing the applicant submitted the bond document estimate and a phased timeline. He reviewed the documents with the commission. Mr. Gardner is moving the work off of the abutting property cited at the last meeting. Stamped plans were presented. TB wanted the wording clarified so that one phase cannot be started until the previous one is completed. Mr. Rheault discussed the use of stone wicks on the access road off of 101 Pleasant Street. Mr. Rheault read the comments from DEP issuing the file number.

Greg Bittner 129 Pleasant Street: are the stumps that are there now included in the bond? Answer by Jamie Rheault was that all the debris is to be removed. Can the Commission make the OOC a one year? RB answered the commission can consider it. Motion to approve with each phase must be approved prior to moving on to the next phase and as to the temporary design of the

stream crossing as pointed out by DEP, no extensions will be issued after the three-year limit or the crossing will be designed to current stream standards for a permanent culvert, all forest cutting debris will be removed from the buffer and riparian zone. TB amended that phases one through 3 will be approved by the commission. TB made the motion removing his amendments CL seconded and the commission approved unanimously. Subsequent to the vote it was realized that the bond, which had been discussed and believed to be agreed during the hearing was not explicitly included in the motion/conditions. This will have to be revisited at a subsequent meeting. No further discussion on this occurred at the recommendation of the Agent.

Appointment :Status update Lake Shirley Improvement Corp. (this is a pre-set appointment)

CL reviewed the management plan requirements for the drawdown. Expectation would be the updates of the six points. Drawdown is scheduled for Oct 15th. RB noted concerns about the drawdown versus refilling due to the drought. MM to call DCR and DEP on advice concerning drawdown. The Commission discussed inflow and outflow rates and those requirements.

Jackie Ramondelli 599 Reservoir Road asked about the six points who added them and where were they added? RB and CL noted that it was, only a general request for an action plan to allow for deeper drawdowns. The resultant six points were written by LSIC's contractor. TB noted that any updates on the six points can be sent by email.

Current Business

1. **Signatures on documents to be issued.** Documents from the last meeting were signed.
2. **Certificates of Compliance**
 - 7 White Street This was signed for release
3. **Enforcement**
 - **190 Electric Avenue, Continuation. (valid until 9/21/16)**
 - **225 Pleasant Street (valid until 9/21/16)**

For both issues James Rheault appeared and outlined the site walks and to date has one quote. Waiting for two more to give to Adam Burney. RB suggested a 60 day extension for both 190 Electric and 225 Pleasant Street. BP moved to issue d60 day extension. KJ seconded and the Commission voted unanimously.
 - **189 Howard Street , Continuation (valid until 9/21/16)**

MM noted that the limited access agreement has been signed and is awaiting a date for start of work. I was extended 60 days by motion of TB and a second by BP.
 - **183 Hemlock St (valid until 9/7/16)**

Extend until 10/5 by motion of TB and a second by KJ. IF nothing is submitted by 10/5/16, there will be an administrative hearing planned
 - **7 Ruth Street (continued from 8/17/16)**

MM noted that he met with the owners and the looming and seeding will be complete tomorrow and they were wondering who was going to write the notarized agreement. The Commission noted they need to have it written. A copy of the original remediation requirements document was requested by CL.
 - **121 Peninsula (NEW)-**

The current condition of the property versus commission investigation was outlined. Jonathan Boyd new owner outlined that the trees close to the house was harming the house. Many of the trees were dying. The owner is not sure how to remediate and is asking the commission for advice. Owner to work with MM on a request for a determination.
 - **63 Peninsula (NEW)** MM found no violation
 - **43 Island Road (NEW)** an enforcement order was issued with an expectation that they would appear on the 5th of October.
 - **701 Reservoir Road (continued from 8/17/16)** MM noted that he is still awaiting a response. He recommended an administrative hearing. He will require their presence at one of the October meetings.

New Business – *Continued discussion of baseline study of lakes – The Commission reviewed issues associated with the potential about taking photos of shoreline and Adam Burney will write them down, CL shared a narrative with the commission of his thoughts of photo documentation and best practices. The Commission discussed the pros and cons and will continue this matter to another agenda.*

Old Business – *Items from workshop (highlights)*

- **178 Peninsula drive-** Peg Bull appeared and spoke about the history of what has been completed. The gravel hill side was left to promote infiltration and eliminate runoff. The house is going to be started in the spring. A narrative is going to be submitted stating there is going to be no wall that grass and vegetation will be planted and seeded and sent to the chairman prior to releasing of the extension permit.

Approval of Minutes 9/7/16- BP motioned to accept minutes as amended KJ second and the commission voted unanimously.
Committee Reports –

- *Holman St property program – no report*
- *Storm water Committee Report – no report was filed.*

Agents Report /Action Items :

- *Review of replication seed mix – MM noted that he added the replication seed mix template on the cloud*
- *Woodlands – Sandra Habe sent a written request for an extension as they continue to work on the issue. MM noted he had no issues and is working with them on the proper expansion of the Kayak Rack.*
- *Status of Recording of Orders – MM will be continuing work on recording of old orders not recorded. The effort has been successful thus far.*
- *Update on Reservoir Road restriction – The attorney is still working on writing a marginal deed reference. MM continues to pursue.*
- *Hearings/Meetings/Appointments scheduled for the 10/5/2016 meeting. MM noted Ed McSweeney has an RDA for a house at 88 W Townsend Road, 21 May Street- a request for a determination for a septic system and Unifil filed a request for a determination for a gas line on Electric Ave.*
- *Video screen in Ritter Meeting Room*
MM noted that the 50 inch TV to be used as a video tool for meetings is in and is going to be installed within the next month.

Communications

Meeting Schedule- **Next meeting for October 5, 2016 at 7:00 PM In the Ritter Land Use Building. 960 Mass Ave.**

Public Comment For Meeting Close.- Greg Bittner thanked the Commission for all of its due diligence.

Adjournment -KJ moved to adjourn TB seconded and the commission voted unanimously to adjourn at 10:11

Note : All documentation cited in the minutes are on file at the Conservation Commission office